#### RECEIVED CENTRAL FAX CENTER





### **Facsimile**

Our File: 9-13528-128US

KD/bd

Confidentiality Message

This communication sent by facsimite is confidential, may be privileged and is intended for the exclusive use of the addressee. Any other person is strictly prohibited from disclosing, distributing or reproducing it. If the addressee cannot be reached or is unknown to you, please inform us immediately by telephone (613) 230-6072 at our expense and delete this message and all copies. Thank you

Number of pages including cover letter:

15

Date:

November 3, 2005

From:

Kent Daniels

Telephone:

(613) 780-8673

E-mail:

kdaniels@ogilvyrenault.com

To	Company	City	Fax
ART UNIT 2152 Examiner: NGUYEN, Hanh N.	United States Patent Office Facsimile Centre	Alexandria, VA	1.571-273-8300

Re:

Serial No.

09/800,523

Inventors:

Kim Roberts et al.

Title:

SPECTRALLY INVISIBLE FRAMING OF HIGH ERROR RATE

DATA SIGNALS

Response to Office Action of August 30, 2005 attached.

# RECEIVED CENTRAL FAX CENTER

**2**1002

PTO/SB/21 (09-04)

NOV 03 2005

Approved for use through 07/31/2008. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE a collection of information unless it displays a valid OMB control number. Under the Paparwork Reduction Act of 1995, no persons are required to respond to Application Number 09/800,523 03/08/2001 Filing Date TRANSMITTAL First Named Inventor Kim B. Roberts **FORM** Art Unit 2662 Examiner Name NGUYEN, Hanh N. (to be used for all correspondence after initial filing) Attorney Docket Number 9-13528-128US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Yransmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC V (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Pelilion to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer Extension of Time Request below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Teble on CD Remarks Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name **OGILVY RENAULT LLP** Signature Printed name Kent Daniels Reg. No. Date November 3, 2005 44,206 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature November 3, 2005 Kent Daniels Typed or printed name

This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patern and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NOV 0 3 2005.

PATENT APPLICATION

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kim Roberts et al.

Attorney Docket No. 9-13528-128US

Serial No:

09/800,523

Group Art Unit: 2662

Filed:

08/03/2001

Examiner:

NGUYEN, Hanh N.

For:

Spectrally Invisible Framing Of High Error Rate Data Signals

## MAIL STOP AMENDMENT

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA
22313-1450 U.S.A.

Sir:

## AMENDMENT UNDER 37 C.F.R § 1.116

In response to the Final Office Action mailed August 30, 2005, the non-extended period for response being November 30, 2005, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.